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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/643,716	08/19/2003	Norihisa Sasano	4041K-000147 5122		
	7590 06/19/2007 CKEV & DIEDCE DI C	EXAMINER			
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828			SWENSON, BRIAN L		
BLOOMFIELD	O HILLS, MI 48303		ART UNIT	PAPER NUMBER	
			3618		
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			MAIL DATE	DELIVERY MODE	
			06/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/643,716	SASANO ET AL.		
Examiner	Art Unit		
Brian Swenson	3618 ·		

The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 27 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. A The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for altowance; (2) a Notice of Appeal (with appeal feet) in compliance with 37 CFR 4.131; or a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the follow time periods:  a) The period for reply expires 2 months from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection.  b) The period for reply expires 2 months from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection.  Examiner Note: If box 15 exclused dress of the mailing date of the Advisory Action, or (2) the date set forth in the final rejection.  Examiner Note: If box 15 exclused from (3) the statutory period for reply expires as the note of the statutory period for reply expires as the was filed and the statutory period for reply expires as the statutory period for reply originally set in the final rejection. under 37 CFR 1.13(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final office action; or (2) set forth in (3) 20-cel, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if they may reduce any examed patent term adjustment. Set 37 CFR 1.704(b).  MINIOR OF A proposed amendment of the set of the shortened statutory period for reply originally set in the final office action; or years and the set of the set of the final rejection, even if they may request and office actions as the set of the set of the se		Brian Swenson	3618 ·	
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this application, applicant must timely file one of the following replies: (1) an amendment, affidavil, or of ther evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.114. The reply must be filed within one of the follow time periods:  a) The period for reply expires aments from the mailing date of the final rejection.  b) The period for reply expires aments from the mailing date of the final rejection.  Examiner Note: If box 1 is checked, check either box (a) or (b) ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MFEP 708.07(f).  Extensions of time may be obtained under 37 CFR 1.13(e). In the date or which the petition under 37 CFR 1.13(e) and the appropriate extension for have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension for the period of extension and the corresponding amount of the fee. The appropriate extension for your reduce any exame plant term adjustment. See 37 CFR 1.73(e) is calculated from: (1) the expiration date of the shorteed statutory period for reply originally set in the afficiency, even if timely final reduce any examed patent term adjustment. See 37 CFR 1.73(e) can be stored and the corresponding amount of the fee. The appropriate extension for your endour endour and patent term adjustment. See 37 CFR 1.37(e) and the stored statutory period for reply originally set in the afficiency reduced any examed patent term adjustment. See 37 CFR 1.73(e) and the stored statutory period for reply originally set in the afficiency is reduced by a great patent and such as a set of the set of the set of the final rejection, even if timely fining the Notice of Appeal was filed on	THE REPLY FILED <u>27 May 2007</u> FAILS TO PLACE THIS APP	LICATION IN CONDITION FOR AL	LOWANCE.	
a) The period for reply expires 2_months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is late no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Exeminar Note: If box 1 is checked. Exheck either box (3) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILLE DWITHIN TWO MONTHS OF THE FINAL REJECTION see MPEP 705.07(i).  Exensions of time may be obtained under 37 CFR 1.136(j). The date on which the petition under 37 CFR 1.136(s) and the appropriate extension finales are not only as the period of extension and the corresponding amount of the fee. The appropriate extension finales 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in final Office action; or (set forth in (b) above, I checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely favor reply received and provided from (1) the expiration of the shortened statutory period for reply originally set in final Office action; or (set forth in (b) above, I checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely favor replaced on the period of Appeal (37 CFR 41.37(a)).  NOTICE OF APPEAL  2. The Notice of Appeal was filed on	this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance	ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in c	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Exemine Notic: It box 1 is checked, check either box (a) or (b), ONLY-OHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a) and the appropriate extension in the weben flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension and the corresponding amount of the fee. The appropriate extension and the corresponding amount of the fee. The appropriate extension and the corresponding amount of the fee. The appropriate extension and the corresponding amount of the fee. The appropriate extension there of the feel of the final rejection, even if timely finally reduced any earned patent term adjustment. See 37 CFR 1.704(b).  MOTICE OF APPEAL  2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. \[ \int \text{Proposed amendment(s)} filed after a final rejection, but prior to the date of filing a brief, will mot be entered because (a) \[ \int \text{Prop raise} the issue of new matter (see NOTE below);  (b) \[ \int They raise new issues that would require further consideration and/or search (see NOTE below);  (c) \[ \int \text{They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) \[ \int \text{They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) \[ \int \text{They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for app	`	of the final rejection.		
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<ul> <li>2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)). Avoid of the appeal. Sin a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).</li> <li>AMENDMENTS</li> <li>3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(c) ☐ They raise the issue of new matter (see NOTE below);</li> <li>(d) ☐ They raise the issue of new matter (see NOTE below);</li> <li>(e) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</li> <li>(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.</li> <li>NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).</li> <li>4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).</li> <li>5. ☐ Applicant's reply has overcome the following rejection(s):</li></ul>	have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b)	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ce action; or (2) as
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(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues fo appeal; and/or  (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. Applicant's reply has overcome the following rejection(s):  6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling non-allowable claim(s).  7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation on how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because.  CHRISTOPHER P.	(a) They raise new issues that would require further co	nsideration and/or search (see NO		ecause
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Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary was not earlier presented. See 37 CFR 1.116(e).  9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)	how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		II be entered and an e	explanation of
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13. Other:  CHRISTOPHER P. ELLIS  PERVISORY PATENT EXAMINER	11.  The request for reconsideration has been considered bu	t does NOT place the application in	n condition for allowar	nce because:
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U.S. Patent and Trademark Office PTOL-303 (Rev. 08-06) **Continuation Sheet (PTO-303)** 

**Application No. 10/643,716** 

Continuation of 3. NOTE: "the inlet of the air cleaner faces away from the internal combustion engine and draws the air from a location behind the aradiator in a direction transverse to the longitudinal direction of the vehicle," requires further consideration and searching. Additionally, "the inlet of the air cleaner" (line 11) lacks antecendent basis; the examiner suggest -- an inlet of the air cleaner -- .